

STATE OF NEBRASKA FORM NO. CC 3:13 07/07 NEW Sec. 34-112.02(3) REQUIRED	<b>FENCE DISPUTE COMPLAINT</b>	CASE NUMBER
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IN THE COUNTY COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_  
Plaintiff

VS.

\_\_\_\_\_  
Defendant

**FENCE DISPUTE COMPLAINT**

Plaintiff states that defendant(s) owe(s) and should be ordered to pay to me the sum of \$\_\_\_\_\_ and costs of this action for construction, repair or maintenance of a division fence between adjoining properties. Plaintiff states the Court has jurisdiction in that the complaint has been filed in the county where land is located.

Plaintiff further states that written notice of division fence construction, repair or maintenance needs and costs was given to the defendant, his agent or the occupant of the land, at least 7 days but less than 1 year prior to filing this complaint.

Plaintiff declares that the defendant(s) is (are) not a "person in the military service of the United States" as defined in Sec. 101 of the Soldiers Relief Act, 1940.

To the best of my knowledge and belief, the defendant(s) may be served at the following address:

\_\_\_\_\_  
My printed name and address are as follows: \_\_\_\_\_

I elect to have the complaint served upon the defendant(s) by:

☐ sheriff/constable ☐ certified mail ☐ process server

DATE: \_\_\_\_\_ PLAINTIFF'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_ SIGNED IN MY PRESENCE: \_\_\_\_\_ (Seal)

### SUMMONS TO DEFENDANT

You have been sued by the above-named plaintiff for amounts due for the construction, repair or maintenance of a division fence between your properties. Trial on this action shall be heard in the county court of this county on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ .m. at \_\_\_\_\_ (location)

If you do not appear, a judgment may be entered against you for the amount due, together with costs of this action.

Mediation for this dispute is available. Information regarding mediation is enclosed. If both parties consent to mediation, or if settlement is reached before your court date, provide written notice to the court prior to the hearing scheduled above. If you have any questions about this or any other legal procedure, you should contact an attorney for legal advice.

DATE: \_\_\_\_\_ BY THE COURT: \_\_\_\_\_ (Seal)

Clerk Magistrate